

## REMARKS

Upon entry of this response, claims 1-14 and 25-29 remain pending in the present application. The Examiner is thanked for a thorough examination of the pending claims as well as the indication that there is allowable subject matter in the present application. No claims are amended herein, where the listing of the claims is provided above merely for the sake of convenience. Applicants respectfully request reconsideration of the pending claims in view of the following remarks.

### **I. CLAIMS 1-5, 8-12, AND 25-29**

In item 5 of the Office Action, claims 1-5, 8-12, and 25-29 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent 6,597,469 issued to Kuroyanagi (hereafter "Kuroyanagi") in view of U.S. Patent 6,213,652 issued to Suzuki et al. (hereafter "Suzuki"). A *prima facie* case of obviousness is established only when the prior art teaches or suggests all of the elements of the claims. MPEP §2143.03, In re Rijckaert, 9 F.3d 1531, 28 U.S.P.Q2d 1955, 1956 (Fed. Cir. 1993).

#### **a. CLAIMS 1, 8, AND 25**

To begin, claim 1 states as follows:

1. A print auditing network, comprising:
  - a client that originates a print job for printing, the print job including parametric data associated with the print job;
  - a printer in data communication with the client that is employed to print the print job, the print job being transmitted from the client to the printer;
    - a print job aggregator in data communication with the client and the printer;***
    - a client agent executed in the client to provide a first report of the parametric data associated with the print job to the print job aggregator; and***
    - a print agent executed in the printer to provide a second report of the parametric data associated with the print job to the print job aggregator after the print job is finished printing,*** where the print job aggregator stores the first and second reports of the parametric data in a memory.

With respect to claim 1, the Office action states in part that:

"...Kuroyanagi '469 discloses a print auditing network (Fig. 1), comprising:

a print job aggregator (Control Unit 320, fig. 2C) in data communication (Input/Output Interface 310, fig. 2C) with the client and the printer (i.e., a manage server 300 connected to the network including input device 200 and computer 20 for managing the number of outputs of the print and copy jobs; Col. 8, lines 50-55, fig. 1);

a client agent (in some functional media such as software executing commands on behalf of Job scheduling device 12, client agent further serves as an interface between Terminal 11 and Request Control Section 14, fig. 1) executed in the client (Terminal 11, fig. 1) to provide a first report (a status acknowledgement of the document, col. 16, lines 45-50) of the parametric data associated with the print job to the print job aggregator (i.e. the job scheduling section 15 obtains job information with respect to job identifier XX (Job ID) at the leading end of the printer queue 22 (step S201); Col. 18, lines 44-50, figs. 1, 4);

a print agent (in some functional media such as software executing commands on behalf of Job Execution Section 13, print agent further serves as an interface between Job Execution section 13 and Job Execution Section Control Section 16, fig. 1) executed in the printer (Job Execution Section 13, fig. 1) to provide a second report (the job execution section control section 16 transfers a status acknowledgement relating to the job processing which was obtained from the job execution section 13 to the job scheduling section 15; see col. 16, lines 55-60, fig. 1) of the parametric data associated with the print job (the job request as job attribute information of the job; Col. 14, lines 60-65, col. 42, lines 35-65 and col. 45, lines 5-25) to the print job aggregator (Job Scheduling device 12, fig. 1) after the print job is finished printing (printing completed, col. 56, lines 45-50), where the print job aggregator stores the first and second reports of the parametric data in a memory (The queue management section 17 prepares various types of queue in compliance with an instruction from the job scheduling section 15, and stores a series of queue objects. Since a queue object of a corresponding job is stored in a queue. Practical documents are stored in memory associated with queues; Col. 15, lines 60-65 and col. 16, lines 60-65, fig. 1).

With respect to claim 1, column 12, lines 56-67 of Kuroyanagi states:

As shown in FIGS. 2A to 2C, the print server 100 has a network interface 110 connected to the network 10 for data transfer to and from each terminal connected to the network 10. For example, in the data transfer to and from the image input/output device 200, the print server 100 transmits data of a print job requested by the client 20 and an inquiry command for an output state of the print job, and receives a response to the output state inquiry command. For example, in the data transfer to and from the department manage server 300, the print server 100 receives an inquiry command from the department manage server 300 and transmits a response to the inquiry command.

Accordingly, the purported print job aggregator alleged by the Office Action (manage server 300) is **not** in data communication with ***the client and the printer*** as recited by claim 1. In contrast, the manage server 300 of the cited art is only in data communication with the print server 100 of the reference. Rather, as set forth in *Kuroyanagi*, it appears that the client 20 transmits print jobs to the print server 100 for printing. As further evidence of this proposition, col. 8, lines 47-56, *Kuroyanagi* states as follows:

As shown in FIG. 1, the image forming system has a composite function of outputting a print job and a copy job, and is constituted of: an image input/output unit 200 which is used as a common printer for clients 20 on a network 10; a print server 100 for receiving from the network 10 a print job requested by the client 20 and managing the number of outputs of the received print job; and a department manage server 300 connected to the network for managing the number of outputs of the print and copy jobs.

Although the computer 20 and the department manage server 300 are coupled to the same network 10, there is apparently no data communication between such components as the client does not report information to the department manage server 300.

Additionally, the Office Action alleges that Suzuki is evidence that a print agent as set forth by claim 1 is well known in the art. Applicant respectfully disagrees for at least the reason that the print agent as required by claim 1 is too complex to be considered well known by a person of ordinary skill in the art. The cited art fails to disclose a print aggregator as required by claim 1 as noted above. Accordingly, the cited art necessarily fails to disclose a print agent in data communication with the print aggregator of claim 1.

The Office Action also alleges that Suzuki is evidence that a client agent as required by claim 1 is well known in the art. Applicant respectfully disagrees for at least the reason that the client agent as required by claim 1 is too complex to be considered well known by a person of ordinary skill in the art. As noted above, the cited art fails to disclose a print aggregator as required by claim 1. Therefore, because the cited art fails

to disclose a print aggregator, it also fails to disclose a client agent that provides parametric data to the print aggregator.

Accordingly, Applicants assert that the rejection of claim 1 is improper.

In addition, claim 8 recites as follows:

8. A method for auditing a print job within a network, the method comprising:

originating a print job in a client to be printed;

associating parametric data with the print job, the parametric data describing the print job;

***transmitting a first report of the parametric data from the client to a print job aggregator;***

transmitting the print job from the client to a printer;

printing the print job in the printer; and

***transmitting a second report of the parametric data from the printer to the print job aggregator after the print job is printed by the printer.***

As set forth above, Applicants assert that the cited art fails to show or suggest the print job aggregator as discussed above. Accordingly, Applicants request that the rejection of claim 8 be withdrawn.

Further, claim 25 recites as follows:

25. A print auditing network, comprising:

a client that originates a print job for printing, the print job including parametric data associated with the print job;

a printer in data communication with the client that is employed to print the print job, the print job being transmitted from the client to the printer;

***a print job aggregator in data communication with the client and the printer;***

means in the client for providing a first report of the parametric data associated with the print job to the print job aggregator; and

means in the printer for ***providing a second report of the parametric data associated with the print job to the print job aggregator after the print job is finished printing,*** where ***the print job aggregator stores the first and second reports of the parametric data in a memory.***

As set forth above, Applicants respectfully assert that the cited art fails to show or suggest the print job aggregator that is in data communication with the client and the printer as discussed above. Further, Applicants assert that the cited art fails to show

the means in the client for providing the first report of the parametric data associated with the print job of the print job aggregator. Accordingly, Applicants respectfully request that the rejection of claim 25 be withdrawn.

In addition, Applicants request that the rejection of claims 2-7, 9-14, and 26-29 be withdrawn as depending from claims 1, 8, and 25 for the reasons described above.

**II. CLAIMS 6, 7, 13, AND 14**

Applicants acknowledge the Examiner's statement in the outstanding Office Action in which claims 6, 7, 13, and 14 have been objected to as being dependent upon a rejected base claim, but deemed allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. Nonetheless, Applicants respectfully assert that every rejection and objection has been overcome and that each of the claims that remains in the case is presently in condition for allowance.

**CONCLUSION**

It is requested that all outstanding objections and rejections be withdrawn and that this application and all presently pending claims be allowed to issue. If the Examiner has any questions or comments regarding this Response, the Examiner is encouraged to telephone the undersigned counsel of Applicants.

Respectfully Submitted,

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